

**ARKANSAS SENATE**  
93rd General Assembly - Regular Session, 2021  
**Amendment Form**

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**Subtitle of Senate Bill No. 23**

TO ESTABLISH THE ELECTRIC COOPERATIVE CORPORATION SELF-REGULATION ACT OF 2021.

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**Amendment No. 4 to Senate Bill 23**

Amend Senate Bill No. 23 as engrossed S2/9/21 (version: 02/09/2021 10:02:11 AM):

Page 2, line 30, delete "comment before the vote's being" and substitute "comments, which shall occur before the vote is"

AND

Page 3, delete line 9, and substitute the following:  
"the declaration of the results.

(e) After following the procedure in subsection (d) of this section, once a majority of the votes cast are in favor of becoming self-regulated under this subchapter, then the process to become self-regulated shall begin as soon as possible and shall be completed within twelve (12) months of the majority vote to become self-regulated."

AND

Page 3, line 10, delete "(e)" and substitute "(f)"

AND

Page 3, line 12, delete "(1) Set" and substitute "(1)(A) Set"

AND

Page 3, delete line 14, and substitute the following:  
"respective classes of service of the corporation.

(B) For any changes in rates, a member-consumer shall be provided advance notice of at least ninety (90) days through the same communication channel the member-consumer selects for receiving billing; and"

AND

Page 3, delete line 17, and substitute the following:



"other member-accessible locations as well as those locations on file with the commission for informational purposes as listed in the commission-designated docket."

AND

Page 3, line 18, delete "(f)" and substitute "(g)"

AND

Page 3, line 21, delete "(g)(1)" and substitute "(h)(1)"

AND

Page 3, line 28, delete "commission and following" and substitute "commission, following"

AND

Page 4, delete lines 1 through 5, and substitute the following:

"(2) After following the procedure in subdivision (h)(1)(A) or subdivision (h)(1)(B) of this section, if a majority of the votes cast are in favor of returning to the jurisdiction of the commission, then:

(A) The process to return the corporation to the jurisdiction of the commission shall begin as soon as possible after the membership vote; and"

AND

Page 4, line 10, delete "(h)" and substitute "(i)"

AND

Page 4, line 20, delete "seq.; and" and substitute "seq.;"

AND

Page 4, delete line 22, and substitute the following:

"seq.;

(6) Net metering as defined in the Arkansas Renewable Energy Development Act of 2001, § 23-18-601 et seq.; and

(7) Demand response as defined in the Regulation of Electric Demand Response Act, § 23-18-1001 et seq."

AND

Page 4, line 23, delete "(i)" and substitute "(j)"

AND

Page 4, delete lines 24 through 31, and substitute the following:

"monopoly electric service provider to:

(1) Make the provision of electric service conditional upon the nonelectric service offerings of the corporation; or

(2) Offer consideration to induce a member-consumer to switch from another public utility's service to the service of the corporation.

(k)(1) This subchapter does not conflict with:

(A) Section 14-207-101 et seq. or otherwise affect the rights of a municipal electric utility, as defined in the Arkansas Municipal Electric Utility Interlocal Cooperation Act of 2003, § 25-20-401 et seq., relating to extensions of service or otherwise;

(B) The Broadband Over Power Lines Enabling Act, § 23-18-801 et seq.;

(C) Commission funding provisions described in §§ 23-3-309 and 23-3-310;

(D) Section 23-3-114(a) concerning the prohibition of unreasonable preferences or disadvantages for rates and service between classes of service; and

(E) Other laws pertaining to public utilities that do not address the jurisdiction or authority of the commission over a self-regulated corporation.

(2) If another provision of Arkansas law conflicts with this subchapter concerning the jurisdiction or authority of the commission over a self-regulated corporation, then this subchapter controls."

The Amendment was read the first time, rules suspended and read the second time and \_\_\_\_\_

By: Senator B. Johnson

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Secretary